

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ALLEN BEDYNEK STUMM,

Plaintiff,

v.

ROBERT A. MCDONALD,

Defendant.

ORDER

12-cv-57-wmc
Appeal no. 18-2978

On January 26, 2018, the court dismissed plaintiff Allen Bedynek Stumm's complaint and judgment was entered that same day. On August 23, 2018 the court denied Bedynek Stumm's motion for reconsideration. Now, plaintiff has filed a notice of appeal. The court construes plaintiff's appeal to include a request to proceed on appeal *in forma pauperis* because he has not paid the \$505 appeal filing fee.

Bedynek Stumm was previously granted leave to proceed *in forma pauperis* in this case, and after carefully reviewing all pertinent matters in this civil action, the court does not find that the appeal is taken in bad faith for purposes of Federal Rules of Appellate Procedure 24(a)(3). Accordingly, plaintiff is eligible to proceed *in forma pauperis* on appeal.

ORDER

IT IS ORDERED that:

- 1) The court CERTIFIES that plaintiff Allen Bedynek Stumm's notice of appeal is not taken in bad faith for purposes of Federal Rule of Appellate Procedure 24(a)(3).

2) Bedynek Stumm is GRANTED leave to proceed *in forma pauperis* on appeal.

Entered this 19th day of September, 2018.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge